

AMENDED IN SENATE MAY 11, 2015

AMENDED IN SENATE MAY 5, 2015

AMENDED IN SENATE APRIL 6, 2015

SENATE BILL

No. 760

Introduced by Senator Mendoza

February 27, 2015

~~An act to add Division 45 (commencing with Section 75500) to the Public Resources Code, relating to disadvantaged communities. An act to add Chapter 13 (commencing with Section 79799) to Division 26.7 of the Water Code, relating to water.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 760, as amended, Mendoza. ~~Disadvantaged Community Enhancement Act of 2015.~~ *Distressed watershed: urban greening.*

The Water Quality, Supply, and Infrastructure Improvement Act of 2014, approved by the voters as Proposition 1 at the November 4, 2014, statewide general election, authorizes the issuance of general obligation bonds in the amount of \$7,545,000,000 to finance a water quality, supply, and infrastructure improvement program. Proposition 1 makes available \$100,000,000 of the bond proceeds, upon appropriation by the Legislature, for projects to protect and enhance an urban creek and its tributaries that meets certain requirements.

This bill would require a public agency receiving an appropriation from the \$100,000,000 to give priority to projects that are located in, or directly adjacent to, a disadvantaged community within a distressed watershed and that may also provide greenspace or other venues for physical activities.

~~Existing law establishes the Strategic Growth Council consisting of specified members and requires the council to, among other things, develop and administer the Affordable Housing and Sustainable Communities Program to reduce greenhouse gas emissions through projects that implement land use, housing, transportation, and agricultural land preservation practices to support infill and compact development and that support other related and coordinated public policy objectives.~~

~~This bill would require the council to develop and implement the Disadvantaged Community Enhancement Program to award grants to disadvantaged communities, as defined, to facilitate projects for community enhancement improvements that provide to eligible applicants multiple environmental benefits.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Chapter 13 (commencing with Section 79799) is
2 added to Division 26.7 of the Water Code, to read:

3
4 CHAPTER 13. MISCELLANEOUS

5
6 79799. (a) (1) *It is the intent of the Legislature to provide*
7 *additional funding opportunities, in a more consolidated manner,*
8 *to address watershed-related infrastructure challenges in*
9 *California's most disadvantaged communities and promote projects*
10 *that provide cobenefits that address physical blight and*
11 *deficiencies.*

12 (2) *It is further the intent of the Legislature to fund urban*
13 *greening projects independent of other programs.*

14 (b) *For purposes of this section, the following terms mean the*
15 *following:*

16 (1) *"Disadvantaged community" means a community identified*
17 *as a disadvantaged community pursuant to Section 39711 of the*
18 *Health and Safety Code with significant population densities,*
19 *significant concentrations of industrial facilities, and trade corridor*
20 *activity.*

1 (2) “Distressed watershed” means a watershed with blighted
2 or contaminated properties located in incorporated or
3 unincorporated areas.

4 (c) A public agency receiving an appropriation from moneys
5 made available pursuant to subdivision (a) of Section 79735 shall
6 give priority to projects to enhance an urban creek and its
7 tributaries that are located in, or directly adjacent to, a
8 disadvantaged community within a distressed watershed and that
9 may also provide greenspace or other venues for physical activities,
10 such as walking, hiking, and cycling.

11 ~~SECTION 1. Division 45 (commencing with Section 75500)~~
12 ~~is added to the Public Resources Code, to read:~~

13
14 ~~DIVISION 45. DISADVANTAGED COMMUNITY~~
15 ~~ENHANCEMENT~~

16
17 ~~PART 1. GENERAL PROVISIONS AND DEFINITIONS~~

18
19 ~~75500. This division shall be known, and may be cited as, the~~
20 ~~Disadvantaged Community Enhancement Act of 2015.~~

21 ~~75501. It is the intent of the Legislature, in enacting this~~
22 ~~division, to provide additional funding opportunities to address~~
23 ~~infrastructure challenges in California’s most disadvantaged~~
24 ~~communities and promote projects that provide for cobenefits that~~
25 ~~address physical blight and deficiencies.~~

26 ~~75502. For purposes of this division, the following terms mean~~
27 ~~the following:~~

28 (a) ~~“Active transportation program” means the program~~
29 ~~established pursuant to Section 2380 of the Streets and Highway~~
30 ~~Code.~~

31 (b) ~~“Council” means the Strategic Growth Council established~~
32 ~~pursuant to Section 75121.~~

33 (c) ~~“Disadvantaged community” means a community identified~~
34 ~~as a disadvantaged community pursuant to Section 39711 of the~~
35 ~~Health and Safety Code.~~

36 (d) ~~“Eligible applicant” means a city, county, city and county,~~
37 ~~special district, Native American tribe, state conservancy, or a~~
38 ~~qualified nonprofit organization.~~

39 (e) ~~“Program” means the Disadvantaged Community~~
40 ~~Enhancement Program established pursuant to Section 75510.~~

~~PART 2. DISADVANTAGED COMMUNITY ENHANCEMENT
PROGRAM~~

~~75510. The council shall develop and implement the Disadvantaged Community Enhancement Program to award grants to disadvantaged communities to facilitate projects for community enhancement improvements that provide to disadvantaged communities multiple environmental benefits.~~

~~75511. Eligible community enhancement improvements include, but are not limited to, any of the following:~~

~~(a) Land acquisitions in urban settings of blighted or contaminated properties serving little sequestration benefit for greenspace conversion.~~

~~(b) Urban greening projects including urban forestry and landscaping.~~

~~(c) Park development and land protection for passive or active recreation.~~

~~(d) Hardscape conversions and repurposing of lands to serve greenspace benefits.~~

~~(e) Nonmotorized trail and other active transportation projects.~~

~~(f) Heat island mitigation.~~

~~(g) Planning of a sustainable community.~~

~~75512. (a) The council shall award grants to eligible applicants through a competitive process. In prioritizing the award, the council shall consider both of the following:~~

~~(1) Factors of the community benefiting from the award, including all of the following:~~

~~(A) The poverty rate.~~

~~(B) The unemployment rate.~~

~~(C) The childhood obesity rate and incidents of asthma.~~

~~(D) The availability of greenspace and venues for physical activity.~~

~~(E) The lack of nonmotorized infrastructure supporting an active transportation program.~~

~~(F) The levels of air pollution.~~

~~(G) The drinking water quality.~~

~~(H) The groundwater quality, if applicable.~~

~~(2) The environmental benefits resulting from the project, including, but not limited to, the following:~~

~~(A) Water quality improvement.~~

1 ~~(B) Groundwater, storage, recharge, or remediation.~~

2 ~~(C) Storm water capture.~~

3 ~~(b) The council shall give priority to eligible applicants and~~
4 ~~projects that are located wholly within distressed watershed areas~~
5 ~~with significant populations and heavy concentrations of industrial~~
6 ~~facilities and trade corridor activity.~~

7 ~~75513. (a) To receive a grant for a project pursuant to the~~
8 ~~program, an eligible applicant shall submit an application, as~~
9 ~~prescribed by the council, that contains information regarding the~~
10 ~~factors and environmental benefits described in Section 75512.~~

11 ~~(b) In addition to subdivision (a), the applicant shall also include~~
12 ~~in the application the following information:~~

13 ~~(1) A clear articulation on how the grant would be used to~~
14 ~~address the factors and provide the environmental benefits~~
15 ~~described in Section 75512.~~

16 ~~(2) The leveraging of other sources of funds to facilitate and~~
17 ~~maximize the benefits from the proposed community enhancement~~
18 ~~improvements.~~

19 ~~75514. Awards made pursuant to this division shall not supplant~~
20 ~~other sources of funding designed to benefit disadvantaged~~
21 ~~communities.~~